

Dena C. Sharp (State Bar No. 245869)  
Adam E. Polk (State Bar No. 273000)  
Nina R. Gliozzo (State Bar No. 333569)  
**GIRARD SHARP LLP**  
601 California Street, Suite 1400  
San Francisco, CA 94108  
Tel: (415) 981-4800  
Fax: (415) 981-4846  
dsharp@girardsharp.com  
apolk@girardsharp.com  
ngliozzo@girardsharp.com

Amy M. Zeman (State Bar No. 273100)  
Geoffrey A. Munroe (State Bar No. 228590)  
**GIBBS LAW GROUP LLP**  
1111 Broadway, Suite 2100  
Oakland, CA 94607  
Tel: (510) 350-9700  
Fax: (510) 350-9701  
amz@classlawgroup.com  
gam@classlawgroup.com

*Counsel for Plaintiffs*

[Additional Counsel on Signature Page]

John J. Duffy (SB No. 6224834)  
**SWANSON, MARTIN & BELL, LLP**  
330 N Wabash, Suite 3300  
Chicago, Illinois 60611  
Tel: (312) 321-9100  
Fax: (312) 321-0990  
jduffy@smbtrials.com  
kringel@smbtrials.com  
mredshaw@smbtrials.com

Marc G. Cowden (SB No. 169391)  
Adam Stoddard (SB No. 272691)  
**ZENERE, COWDEN & STODDARD APC**  
2005 De La Cruz Blvd., Suite 240  
Santa Clara, California 95050  
Tel: (408) 288-9700  
Fax: (408) 295-9900  
mcowden@zcsllawfirm.com  
astoddard@zcsllawfirm.com

*Counsel for Defendant Chart Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE PACIFIC FERTILITY CENTER  
LITIGATION

This Document Relates to:  
No. 3:18-cv-01586  
(A.B., C.D., E.F., G.H., and I.J.)

Master Case No. 3:18-cv-01586-JSC

**STIPULATION AND [PROPOSED]  
ORDER TO EXONERATE BOND**

Judge: Hon. Jacqueline Scott Corley

**STIPULATION TO RELEASE BOND AND EXONERATE SURETY**

The parties, through their respective counsel, stipulate as follows:

This Court entered a judgment against Chart on August 13, 2021 (ECF No. 902). Chart filed a notice of appeal (ECF No. 1005). Chart provided a bond to stay enforcement of judgment pending appeal. The parties stipulated their approval of Chart's bond (ECF No. 933), and this Court approved the bond (ECF No. 935).

Chart's bond secured Plaintiffs' interest in their money judgment while Chart's appeal was pending. *See Rachel v. Banana Republic, Inc.*, 831 F.2d 1503, 1505 n.1 (9th Cir. 1987). But the appeal is no longer pending. After the parties settled their dispute and Plaintiffs released Chart, the Ninth Circuit ordered the appeal dismissed (9th Cir. ECF No. 53).

Because there is no money judgment to secure, and no further proceedings remain in the Ninth Circuit, Chart's bond no longer serves any purpose. The parties agree that it may be released forthwith and the surety's obligation may be exonerated.

Accordingly, we request that the Court now order that bond number 57BSBIH5817 issued by surety Hartford Fire Insurance Company is released and the surety is exonerated from all liability under that bond as of the date of this Court's order.

*[signatures on next pages]*

1           **IT IS SO STIPULATED.**

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3  
4 Dated: July 31, 2023

By: /s/ John J. Duffy

John J. Duffy (SB No. 6224834)  
**SWANSON, MARTIN & BELL, LLP**  
330 N Wabash, Suite 3300  
Chicago, Illinois 60611  
Tel: (312) 321-9100  
Fax: (312) 321-0990  
jduffy@smbtrials.com

Marc G. Cowden (SB No. 169391)  
Adam Stoddard (SB No. 272691)  
**ZENERE, COWDEN & STODDARD APC**  
2005 De La Cruz Blvd., Suite 240  
Santa Clara, California 95050  
Tel: (408) 288-9700  
Fax: (408) 295-9900  
mcowden@zcslawfirm.com  
astoddard@zcslawfirm.com

*Counsel for Defendant Chart Inc.*

1 Dated: July 31, 2023

By: /s/ Amy M. Zeman

Amy M. Zeman (State Bar No. 273100)

Geoffrey A. Munroe (State Bar No. 228590)

**GIBBS LAW GROUP LLP**

1111 Broadway, Suite 2100

Oakland, CA 94607

Tel: (510) 350-9700

Fax: (510) 350-9701

amz@classlawgroup.com

gam@classlawgroup.com

Dena C. Sharp (State Bar No. 245869)

Adam E. Polk (State Bar No. 273000)

Nina R. Gliozzo (State Bar No. 333569)

**GIRARD SHARP LLP**

601 California Street, Suite 1400

San Francisco, CA 94108

Tel: (415) 981-4800

Fax: (415) 981-4846

dsharp@girardsharp.com

apolk@girardsharp.com

ngliozzo@girardsharp.com

Adam B. Wolf (State Bar No. 215914)

**PEIFFER WOLF CARR KANE**

**CONWAY & WISE**

4 Embarcadero Center, Suite 1400

San Francisco, CA 94111

Tel: (415) 766-3545

Fax: (415) 402-0058

awolf@peifferwolf.com

*Plaintiffs' Counsel*

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**[PROPOSED] ORDER**

For good cause shown, surety Hartford Fire Insurance Company is exonerated and bond number 57BSBIH5817 is hereby released.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2023

\_\_\_\_\_  
Honorable Jacqueline S. Corley  
UNITED STATES DISTRICT JUDGE